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ART UNIT	**PAPER NUMBER**
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/010,687	TANAKA, YOSHIAKI	
	Examiner	Art Unit	
	Eliseo Ramos-Feliciano	2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 October 2005 and 29 August 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 29, 2005 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. **Claims 1-28** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding **claims 1, 5, 9, 13, 17, 20, 23 and 26**, all of the newly added limitations constitute subject matter which was not described in the original specification. The limitation "first" or "second data specifies a geographical location of the cellular phone" is subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The limitation "data specifies a geographical location" is not even mentioned on the original disclosure. Applicant has not pointed out where in the original disclosure support can be found for the newly added limitations.

Regarding **claims 2-4, 6-8, 10-12, 14-16, 18-19, 21-22, 24-25, and 27-28**, being dependent from *claims 1, 5, 9, 13, 17, 20, 23 and 26* include same issues explained above. Therefore, they are rejected for the same reasons explained above.

For examination on the merits, the limitation "data specifies a geographical location" will be treated as "data indicates where the cellular phone is", "data which indicates a site" or "area".

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. **Claims 1-4, 9-12, 17-19, and 23-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Valentine et al. (US Patent Number 6,011,973) in view of Steer (US Patent Number 6,643,517).

Regarding **claim 1**, Valentine et al. discloses a cellular phone (100) including a memory (150) and a controller (120); as depicted in Figure 1. A base station (180) in communication with the cellular phone (100). In detail, Valentine et al. discloses:

(a) a memory (150) storing first data (geographical locations where the cellular phone is prohibited from operating) indicative of predetermined sites (column 1, lines 58-59 and column 2, lines 45-53); and

(b) a controller (120) that compares a second data (current geographical location of the cellular phone) to the first data (geographical locations where the cellular phone is prohibited from operating), and stops an operation of said cellular phone (disables the transceiver 110), if said cellular phone is located at said predetermined sites indicated by said first data (column 1, lines 60-67 and column 2, lines 54-63).

However, Valentine et al. fails to particularly disclose that the controller receives the second data (which second data indicates where said cellular phone is) from a base station, as claimed by applicant.

Nevertheless, Valentine et al. teaches that the cellular phone (100) receives GPS transmissions indicative of longitude and latitude coordinates (second data that indicates where said cellular phone is) from satellite (140); see column 2, lines 30-44.

Steer teaches to receive GPS transmissions via broadcast control channels from a base station (column 9, lines 36-43), and determining if the cellular phone is in a protected region (predetermined sites as claimed); see column 3, lines 51-58 of Steer. Thus, Steer teaches receiving GPS transmissions via a base station's broadcast control channel, instead of receiving the GPS transmissions directly from a satellite. Such teaching can be advantageous, for example, when the cellular phone is out of reach of the satellite's transmission beam, or out of the satellite's range; allowing the cellular phone to still receive the GPS signal, that otherwise would not be able to receive.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Valentine et al.'s invention as to receive GPS transmissions (information which indicates where said cellular phone is) via the base station's broadcast

control channel, instead of receiving GPS transmissions directly from satellite 140, because this would allow the cellular phone to receive the GPS signal even when the cellular phone is out of reach of the satellite's transmission beam, or out of the satellite's range.

Regarding **claim 2**, Valentine et al. and Steer disclose everything claimed as applied above (see *claim 1*). In addition, Valentine et al. teaches that the predetermined sites are sites in which it is unpreferable to make a call through a cellular phone. Such as geographical locations where the cellular phone is prohibited from operating (column 2, lines 60-63); for example: airplane or airport runways (column 1, lines 38 and 43).

Regarding **claim 3**, Valentine et al. and Steer disclose everything claimed as applied above (see *claim 1*). In addition, Valentine et al. teaches that the controller downloads the first data (geographical locations where the cellular phone is prohibited from operating) into the memory (150) from an external database (190 - Figure 1) in cellular telephone network 170 via base station 180 (column 2, lines 63-67; column 3, lines 10-12).

Regarding **claim 4**, Valentine et al. and Steer disclose everything claimed as applied above (see *claim 1*). However, Valentine et al. fails to specifically disclose a modem which modulates signals to be transmitted from said cellular phone and demodulates signals received, and wherein said controller stops an operation of said modem, if said cellular phone is located at said predetermined sites indicated by said first data.

Nevertheless, Valentine et al. teaches that controller 120 stops an operation of said cellular phone by disabling the transceiver 110, if the cellular phone is located at the predetermined sites indicated by the first data (column 2, lines 60-63) as explained above.

Steer teaches disabling communications if the mobile radio unit is in a predetermined site (protected region); see column 6, lines 31-32 and 39-41 of Steer. The mobile unit can be a cellular phone, a laptop computer with mobile radio fax modem or the like; column 10, lines 44-50.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Valentine et al.'s invention to extend its stop operation to a modem as claimed, and as taught by Steer, because this would prevent a larger amount of users from annoying other people or equipment in restricted areas.

Regarding **claim 9**, Valentine et al. discloses a cellular phone (100) including a memory (150) and a controller (120); as depicted in Figure 1. A base station (180) in communication with the cellular phone (100). In detail, Valentine et al. discloses:

(a) a memory (150) storing first data (geographical locations where the cellular phone is prohibited from operating) indicative of a first area in which predetermined sites are (column 1, lines 58-59 and column 2, lines 45-53); and

(b) a controller (120) that compares a second data (current geographical location of the cellular phone) to the first data (geographical locations where the cellular phone is prohibited from operating), and stops an operation of said cellular phone (disables the transceiver 110), if said cellular phone is located in said first area (column 1, lines 60-67 and column 2, lines 54-63).

However, Valentine et al. fails to particularly disclose that the controller receives the second data (which second data indicates where said cellular phone is) from a base station, as claimed by applicant.

Nevertheless, Valentine et al. teaches that the cellular phone (100) receives GPS transmissions indicative of longitude and latitude coordinates (second data that indicates where said cellular phone is) from satellite (140); see column 2, lines 30-44.

Steer teaches to receive GPS transmissions via broadcast control channels from a base station (column 9, lines 36-43), and determining if the cellular phone is in a protected region (predetermined sites as claimed); see column 3, lines 51-58 of Steer. Thus, Steer teaches receiving GPS transmissions via a base station's broadcast control channel, instead of receiving the GPS transmissions directly from a satellite. Such teaching can be advantageous, for example, when the cellular phone is out of reach of the satellite's transmission beam, or out of the satellite's range; allowing the cellular phone to still receive the GPS signal, that otherwise would not be able to receive.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Valentine et al.'s invention as to receive GPS transmissions (information which indicates where said cellular phone is) via the base station's broadcast control channel, instead of receiving GPS transmissions directly from satellite 140, because this would allow the cellular phone to receive the GPS signal even when the cellular phone is out of reach of the satellite's transmission beam, or out of the satellite's range.

Regarding **claim 10**, Valentine et al. and Steer disclose everything claimed as applied above (see *claim 9*). In addition, Valentine et al. teaches that the predetermined sites are sites in which it is unpreferable to make a call through a cellular phone. Such as geographical locations where the cellular phone is prohibited from operating (column 2, lines 60-63); for example: airplane or airport runways (column 1, lines 38 and 43).

Regarding **claim 11**, Valentine et al. and Steer disclose everything claimed as applied above (see *claim 9*). In addition, Valentine et al. teaches that the controller downloads the first data (geographical locations where the cellular phone is prohibited from operating) into the memory (150) from an external database (190 - Figure 1) in cellular telephone network 170 via base station 180 (column 2, lines 63-67; column 3, lines 10-12).

Regarding **claim 12**, Valentine et al. and Steer disclose everything claimed as applied above (see *claim 9*). However, Valentine et al. fails to specifically disclose a modem which modulates signals to be transmitted from said cellular phone and demodulates signals received, and wherein said controller stops an operation of said modem, if said cellular phone is located at said predetermined sites indicated by said first data.

Nevertheless, Valentine et al. teaches that controller 120 stops an operation of said cellular phone by disabling the transceiver 110, if the cellular phone is located at the predetermined sites indicated by the first data (column 2, lines 60-63) as explained above.

Steer teaches disabling communications if the mobile radio unit is in a predetermined site (protected region); see column 6, lines 31-32 and 39-41 of Steer. The mobile unit can be a cellular phone, a laptop computer with mobile radio fax modem or the like; column 10, lines 44-50.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Valentine et al.'s invention to extend its stop operation to a modem as claimed, and as taught by Steer, because this would prevent a larger amount of users from annoying other people or equipment in restricted areas.

Regarding **claim 17**, Valentine et al. discloses a method of operating a cellular phone (100). A base station (180) in communication with the cellular phone (100), as depicted in Figure 1. The method including the steps of:

(a) storing first data (geographical locations where the cellular phone is prohibited from operating) indicative of predetermined sites (column 1, lines 58-59 and column 2, lines 45-53);

(b) receiving second data (GPS transmissions indicative of longitude and latitude coordinates) which second data indicates where said cellular phone is (current geographical location of the cellular phone) (column 2, lines 30-44);

(c) comparing said second data to said first data (column 2, lines 54-56); and

(d) stopping an operation of said cellular phone, if said cellular phone is located at said predetermined sites (column 2, lines 60-63).

However, Valentine et al. fails to particularly disclose that the second data is received from a base station as claimed.

Nevertheless, Valentine et al. teaches that the cellular phone (100) receives the GPS transmissions (second data that indicates where said cellular phone is) from satellite (140); see column 2, lines 30-44.

Steer teaches to receive GPS transmissions via broadcast control channels from a base station (column 9, lines 36-43), and determining if the cellular phone is in a protected region (predetermined sites as claimed); see column 3, lines 51-58 of Steer. Thus, Steer teaches receiving GPS transmissions from a base station via a base station's broadcast control channel, instead of receiving the GPS transmissions directly from a satellite. Such teaching can be advantageous, for example, when the cellular phone is out of reach of the satellite's transmission

beam, or out of the satellite's range; allowing the cellular phone to still receive the GPS signal, that otherwise would not be able to receive.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Valentine et al.'s invention as to receive the GPS transmissions (information which indicates where said cellular phone is) from a base station via the base station's broadcast control channel, instead of receiving GPS transmissions directly from satellite 140, because this would allow the cellular phone to receive the GPS signal even when the cellular phone is out of reach of the satellite's transmission beam, or out of the satellite's range.

Regarding **claim 18**, Valentine et al. and Steer disclose everything claimed as applied above (see *claim 17*). In addition, Valentine et al. teaches downloading said first data from an external database. The controller downloads the first data (geographical locations where the cellular phone is prohibited from operating) into the memory (150) from an external database (190 - Figure 1) in cellular telephone network 170 via base station 180 (column 2, lines 63-67; column 3, lines 10-12).

Regarding **claim 19**, Valentine et al. and Steer disclose everything claimed as applied above (see *claim 17*). However, Valentine et al. fails to specifically disclose that an operation of a modem of said cellular phone is stopped as claimed by applicant.

Nevertheless, Valentine et al. teaches that controller 120 stops an operation of said cellular phone by disabling the transceiver 110, if the cellular phone is located at the predetermined sites indicated by the first data (column 2, lines 60-63) as explained above.

Steer teaches disabling communications if the mobile radio unit is in a predetermined site (protected region); see column 6, lines 31-32 and 39-41 of Steer. The mobile unit can be a cellular phone, a laptop computer with mobile radio fax modem or the like; column 10, lines 44-50.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Valentine et al.'s invention to extend its stop operation to a modem as claimed, and as taught by Steer, because this would prevent a larger amount of users from annoying other people or equipment in restricted areas.

Regarding **claim 23**, Valentine et al. discloses a method of operating a cellular phone (100). A base station (180) in communication with the cellular phone (100), as depicted in Figure 1. The method including the steps of:

(a) storing first data (geographical locations where the cellular phone is prohibited from operating) indicative of a first area in which predetermined sites are (column 1, lines 58-59 and column 2, lines 45-53);

(b) receiving second data (GPS transmissions indicative of longitude and latitude coordinates) which second data indicates where said cellular phone is (current geographical location of the cellular phone) (column 2, lines 30-44);

(c) comparing said second data to said first data (column 2, lines 54-56); and

(d) stopping an operation of said cellular phone, if said cellular phone is located in said first area (column 2, lines 60-63).

However, Valentine et al. fails to particularly disclose that the second data is received from a base station as claimed.

Nevertheless, Valentine et al. teaches that the cellular phone (100) receives the GPS transmissions (second data that indicates where said cellular phone is) from satellite (140); see column 2, lines 30-44.

Steer teaches to receive GPS transmissions via broadcast control channels from a base station (column 9, lines 36-43), and determining if the cellular phone is in a protected region (predetermined sites as claimed); see column 3, lines 51-58 of Steer. Thus, Steer teaches receiving GPS transmissions from a base station via a base station's broadcast control channel, instead of receiving the GPS transmissions directly from a satellite. Such teaching can be advantageous, for example, when the cellular phone is out of reach of the satellite's transmission beam, or out of the satellite's range; allowing the cellular phone to still receive the GPS signal, that otherwise would not be able to receive.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Valentine et al.'s invention as to receive the GPS transmissions (information which indicates where said cellular phone is) from a base station via the base station's broadcast control channel, instead of receiving GPS transmissions directly from satellite 140, because this would allow the cellular phone to receive the GPS signal even when the cellular phone is out of reach of the satellite's transmission beam, or out of the satellite's range.

Regarding **claim 24**, Valentine et al. and Steer disclose everything claimed as applied above (see *claim 23*). In addition, Valentine et al. teaches downloading said first data from an external database. The controller downloads the first data (geographical locations where the cellular phone is prohibited from operating) into the memory (150) from an external database

(190 - Figure 1) in cellular telephone network 170 via base station 180 (column 2, lines 63-67; column 3, lines 10-12).

Regarding **claim 25**, Valentine et al. and Steer disclose everything claimed as applied above (see *claim 23*). However, Valentine et al. fails to specifically disclose that an operation of a modem of said cellular phone is stopped as claimed by applicant.

Nevertheless, Valentine et al. teaches that controller 120 stops an operation of said cellular phone by disabling the transceiver 110, if the cellular phone is located at the predetermined sites indicated by the first data (column 2, lines 60-63) as explained above.

Steer teaches disabling communications if the mobile radio unit is in a predetermined site (protected region); see column 6, lines 31-32 and 39-41 of Steer. The mobile unit can be a cellular phone, a laptop computer with mobile radio fax modem or the like; column 10, lines 44-50.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Valentine et al.'s invention to extend its stop operation to a modem as claimed, and as taught by Steer, because this would prevent a larger amount of users from annoying other people or equipment in restricted areas.

6. **Claims 5-8, 13-16, 20-22, and 26-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Steer (US Patent Number 6,643,517).

Regarding **claim 5**, Steer discloses a cellular phone (10) including a controller (26); as depicted in Figure 2. A base station (6) for communications with the cellular phone (10); Figure 1. In detail, Steer discloses:

a controller (26) which uses first data (mobile radio's current location) which indicates where said cellular phone is. The controller receives from a base station second data (protected region boundaries) which indicates a first site (12) within a service area (13) covered by said base station (6), compares the first data to said second data, and stops an operation of said cellular phone, if said cellular phone is located at said first site (column 3, lines 40-54; column 4, lines 59-64, column 6, lines 20-26, 31-32, 39-41, column 8, lines 8-12).

However, Steer fails to particularly disclose receiving from the base station the first data which indicates where said cellular phone is.

Nevertheless, Steer teaches that the mobile radio makes use of a suitable known location finding technique to determine its location (first data) (column 3, lines 49-50; column 6, lines 22-23). For example GPS (column 9, lines 36-43); wherein the GPS information (first data which indicates where said cellular phone is) is received from a base station via broadcast control channels, for the advantage of improving the accuracy of the location determination process (see column 9, lines 42-43). Should be noted that the second data (protected region boundaries) is received from the base station via broadcast control channels also (column 9, lines 44-47; column 4, lines 61-64; column 5, lines 60-62).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to receive from the base station both the first data which indicates where said cellular phone is, and the second data which indicates a first site as claimed in a single embodiment, as suggested by the same Steer, for the advantage of improving the accuracy of the location determination process (see column 9, lines 42-43).

Regarding **claim 6**, Steer discloses everything claimed as applied above (see *claim 5*). In addition, Steer teaches that the first site is a site in which it is unpreferable to make a call through a cellular phone. For example: hospitals, aircraft, automobile, train, and other sensitive areas (column 1, lines 10, 22-28).

Regarding **claim 7**, Steer discloses everything claimed as applied above (see *claim 5*). In addition, Steer teaches that the controller downloads said second data thereinto from an external database (information server 8) (column 4, lines 64-66).

Regarding **claim 8**, Steer discloses everything claimed as applied above (see *claim 5*). However, Steer fails to specifically disclose that the controller stops an operation of a modem, if said cellular phone is located at said predetermined sites indicated by said first data, as claimed.

Nevertheless, Steer teaches disabling communications if the mobile radio unit is in a predetermined site (protected region); see column 6, lines 31-32 and 39-41 of Steer. The mobile unit can be a cellular phone, a laptop computer with mobile radio fax modem or the like; column 10, lines 44-50.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to extend Steer's stop operation to a modem as claimed, and as suggested by the same Steer, because this would prevent a larger amount of users from annoying other people or equipment in restricted areas.

Regarding **claim 13**, Steer discloses a cellular phone (10) including a controller (26); as depicted in Figure 2. A base station (6) for communications with the cellular phone (10); Figure 1. In detail, Steer discloses:

a controller (26) which uses first data (mobile radio's current location) which indicates where said cellular phone is. The controller receives from a base station second data (protected region boundaries) which indicates a first area (12) within a service area (13) covered by said base station (6), compares the first data to said second data, and stops an operation of said cellular phone, if said cellular phone is located at said first area (column 3, lines 40-54; column 4, lines 59-64, column 6, lines 20-26, 31-32, 39-41, column 8, lines 8-12).

However, Steer fails to particularly disclose receiving from the base station the first data which indicates where said cellular phone is.

Nevertheless, Steer teaches that the mobile radio makes use of a suitable known location finding technique to determine its location (first data) (column 3, lines 49-50; column 6, lines 22-23). For example GPS (column 9, lines 36-43); wherein the GPS information (first data which indicates where said cellular phone is) is received from a base station via broadcast control channels, for the advantage of improving the accuracy of the location determination process (see column 9, lines 42-43). Should be noted that the second data (protected region boundaries) is received from the base station via broadcast control channels also (column 9, lines 44-47; column 4, lines 61-64; column 5, lines 60-62).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to receive from the base station both the first data which indicates where said cellular phone is, and the second data which indicates a first area as claimed in a single embodiment, as suggested by the same Steer, for the advantage of improving the accuracy of the location determination process (see column 9, lines 42-43).

Regarding **claim 14**, Steer discloses everything claimed as applied above (see *claim 13*). In addition, Steer teaches that the first area is a area in which it is unpreferable to make a call through a cellular phone. For example: hospitals, aircraft, automobile, train, and other sensitive areas (column 1, lines 10, 22-28).

Regarding **claim 15**, Steer discloses everything claimed as applied above (see *claim 13*). In addition, Steer teaches that the controller downloads said second data thereinto from an external database (information server 8) (column 4, lines 64-66).

Regarding **claim 16**, Steer discloses everything claimed as applied above (see *claim 13*). However, Steer fails to specifically disclose that the controller stops an operation of a modem, if said cellular phone is located at said predetermined areas indicated by said first data, as claimed.

Nevertheless, Steer teaches disabling communications if the mobile radio unit is in a predetermined area (protected region); see column 6, lines 31-32 and 39-41 of Steer. The mobile unit can be a cellular phone, a laptop computer with mobile radio fax modem or the like; column 10, lines 44-50.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to extend Steer's stop operation to a modem as claimed, and as suggested by the same Steer, because this would prevent a larger amount of users from annoying other people or equipment in restricted areas.

Regarding **claim 20**, Steer discloses a method of operating a cellular phone. A base station (6) in communication with the cellular phone (10), as depicted in Figure 1. The method including the steps of:

(a) receiving from a base station second data (protected region boundaries) which indicates a first site (12) within a service area (13) covered by said base station (6). The method also includes a first data (mobile radio's current location) which indicates where said cellular phone is. (column 3, lines 40-45, column 4, lines 59-64, column 6, lines 17-26)

(b) comparing said first data to said second data (column 3, lines 51-53; column 6, lines 24-26); and

(c) stopping an operation of said cellular phone, if said cellular phone is located at said first site. (column 3, lines 55-58, column 6, lines 39-41).

However, Steer fails to particularly disclose receiving from the base station the first data which indicates where said cellular phone is.

Nevertheless, Steer teaches that the mobile radio makes use of a suitable known location finding technique to determine its location (first data) (column 3, lines 49-50; column 6, lines 22-23). For example GPS (column 9, lines 36-43); wherein the GPS information (first data which indicates where said cellular phone is) is received from a base station via broadcast control channels, for the advantage of improving the accuracy of the location determination process (see column 9, lines 42-43). Should be noted that the second data (protected region boundaries) is received from the base station via broadcast control channels also (column 9, lines 44-47; column 4, lines 61-64; column 5, lines 60-62).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to receive from the base station both the first data which indicates where said cellular phone is, and the second data which indicates a first site as claimed in a single

embodiment, as suggested by the same Steer, for the advantage of improving the accuracy of the location determination process (see column 9, lines 42-43).

Regarding **claim 21**, Steer discloses everything claimed as applied above (see *claim 20*). In addition, Steer teaches downloading said first data from an external database (information server 8) (column 4, lines 64-66).

Regarding **claim 22**, Steer discloses everything claimed as applied above (see *claim 20*). However, Steer fails to specifically disclose that an operation of a modem of said cellular phone is stopped as claimed.

Nevertheless, Steer teaches disabling communications if the mobile radio unit is in a predetermined site (protected region); see column 6, lines 31-32 and 39-41 of Steer. The mobile unit can be a cellular phone, a laptop computer with mobile radio fax modem or the like; column 10, lines 44-50.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to extend Steer's stop operation to a modem as claimed, and as suggested by the same Steer, because this would prevent a larger amount of users from annoying other people or equipment in restricted areas.

Regarding **claim 26**, Steer discloses a method of operating a cellular phone. A base station (6) in communication with the cellular phone (10), as depicted in Figure 1. The method including the steps of:

(a) receiving from a base station second data (protected region boundaries) which indicates a first area (12) within a service area (13) covered by said base station (6). The method

also includes a first data (mobile radio's current location) which indicates where said cellular phone is. (column 3, lines 40-45, column 4, lines 59-64, column 6, lines 17-26)

(b) comparing said first data to said second data (column 3, lines 51-53; column 6, lines 24-26); and

(c) stopping an operation of said cellular phone, if said cellular phone is located at said first area. (column 3, lines 55-58, column 6, lines 39-41).

However, Steer fails to particularly disclose receiving from the base station the first data which indicates where said cellular phone is.

Nevertheless, Steer teaches that the mobile radio makes use of a suitable known location finding technique to determine its location (first data) (column 3, lines 49-50; column 6, lines 22-23). For example GPS (column 9, lines 36-43); wherein the GPS information (first data which indicates where said cellular phone is) is received from a base station via broadcast control channels, for the advantage of improving the accuracy of the location determination process (see column 9, lines 42-43). Should be noted that the second data (protected region boundaries) is received from the base station via broadcast control channels also (column 9, lines 44-47; column 4, lines 61-64; column 5, lines 60-62).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to receive from the base station both the first data which indicates where said cellular phone is, and the second data which indicates a first area as claimed in a single embodiment, as suggested by the same Steer, for the advantage of improving the accuracy of the location determination process (see column 9, lines 42-43).

Regarding **claim 27**, Steer discloses everything claimed as applied above (see *claim 26*). In addition, Steer teaches downloading said first data from an external database (information server 8) (column 4, lines 64-66).

Regarding **claim 28**, Steer discloses everything claimed as applied above (see *claim 26*). However, Steer fails to specifically disclose that an operation of a modem of said cellular phone is stopped as claimed.

Nevertheless, Steer teaches disabling communications if the mobile radio unit is in a predetermined area (protected region); see column 6, lines 31-32 and 39-41 of Steer. The mobile unit can be a cellular phone, a laptop computer with mobile radio fax modem or the like; column 10, lines 44-50.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to extend Steer's stop operation to a modem as claimed, and as suggested by the same Steer, because this would prevent a larger amount of users from annoying other people or equipment in restricted areas.

Response to Arguments

7. Applicant's arguments filed August 29, 2005 have been fully considered but they are not persuasive.

Applicant's arguments are directed to the newly added limitations. These limitations constitute subject matter which was not described in the original specification as indicated in the rejection above. These arguments have been considered but are, therefore, moot in view of the new ground(s) of rejection.

The original disclosure provides adequate support for the teaching of "second data indicates where the cellular phone is" "second data which indicates a first site" or "first area", such as "a hospital, a movie house, a theater, or other public spaces" (see, for example, page 3, line 23 to page 5, line 25 of the original disclosure); however, does not provide adequate support for specifying a geographical location. The limitation "data specifies a geographical location" is not even found on the original disclosure. Applicant has not pointed out where in the original disclosure support can be found for the newly added limitations. For examination on the merits, the limitation "data specifies a geographical location" has been treated as "data indicates where the cellular phone is", "data which indicates a site" or "area".

Conclusion

8. Any inquiry concerning this communication from the examiner should be directed to Eliseo Ramos-Feliciano whose telephone number is 571-272-7925. The examiner can normally be reached from 8:00 a.m. to 5:30 p.m. on 5-4/9 1st Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid, can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

10/27/05

ELISEO RAMOS-FELICIANO
PATENT EXAMINER

ERF/erf
October 27, 2005